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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK JOHN MOYNIHAN

Plaintiff,

Docket No.: 01-CU-11498

-against-

JURY DEMAND

DELHI INDUSTRIES INC.,

Defendant.

SIRS:

PLEASE TAKE NOTICE, that plaintiff in the aboveentitled action demands a trial by jury.

Dated: New York, New York December 28, 2007

Yours, etc.,

BAUMAN, KUNKIS & OCASIO-DOUGLAS, P.C.

By: ///
JASON PERNSTEIN, ESQ. (JB 3027) Attorneys for Plaintiff(s) Office & P.O. Address 14 Penn Plaza, Suite 2208

New York, New York 10122 (212) 564-3555

Mound Cotton Wollan & Greengrass, Esgs. Attorneys for Defendant(s) DELHI INDUSTRIES INC. One Battery Park Plaza New York, NY 10004 (212) 804-4200

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF NEW YORK ss.:

CATHY SCHAFFER, being duly sworn, deposes and says:

I am over 18 years of age, I am not a party to the action, and I reside in Nassau in the State of New York.

I served a true copy of the annexed Jury Demand on December 28, 2007 by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

Mound Cotton Wollan & Greengrass, Esqs. Attorneys for Defendant(s) DELHI INDUSTRIES INC. One Battery Park Plaza New York, NY 10004 (212) 804-4200

CATHY SCHAFFER

Sworn to before me December 28, 2007

Notary Public

ROGER M. KUNKIS
Notary Public, State of New York
No. 4954366
Qualified in New York County
Commission Expires August 7, 2008